

ORIGINAL

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RORY SOARES TOOMEY, #2323
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TELEPHONE NO. 533-7162

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

Dec 30 2005
at 10:00 a.m.
SUE BEITIA, CLERK

Attorneys for Plaintiffs
BARBARA KALANIKIEKIE
KAAPUNI, JON HANS
KAAPUNI, Sr., PAMELA
NOHOLANI KAAPUNI, JON
HANS KAAPUNI, Jr., FALLON
KALANIKIEKIE KAAPUNI,
AND TYRAH NOHOLANI
KAAPUNI by her best friend
JON HANS KAAPUNI, Sr.

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

)
BARBARA KALANIKIEKIE) CIVIL NO. CV-04-00449-SOM-LEK
KAAPUNI, JON HANS)
KAAPUNI, Sr., PAMELA) DECLARATION OF RORY
NOHOLANI KAAPUNI, JON) SOARES TOOMEY; CERTIFICATE
HANS KAAPUNI, Jr., FALLON) OF SERVICE
KALANIKIEKIE KAAPUNI,)
AND TYRAH NOHOLANI)
KAAPUNI by her best friend)
JON HANS KAAPUNI, Sr.,)
Plaintiffs,)
vs.)
)

CARLTON HELM, in his)
individual capacity, STAG)
SAGARIO, in his individual capacity,)
CHRISTINA WILLIAMS, in her)
individual capacity, KELLY ARLOS,)
in his individual capacity, JAMIE)
WINFREY, in her individual capacity,)
HAROLD MANAOIS, in his individual)
capacity, KEANA BROWN,)
in her individual capacity, AND)
THE COUNTY OF)
MAUI,)
Defendants.)

)

DECLARATION OF RORY SOARES TOOMEY

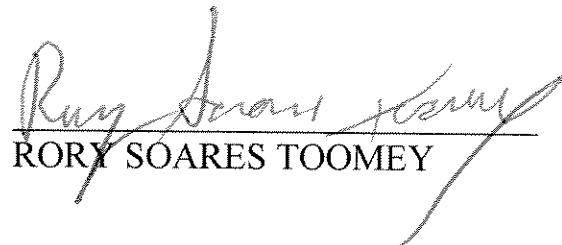
Rory Soares Toomey declares as follows:

1. I am one of the attorneys for the Plaintiffs above-named.
2. The facts set forth in this declaration are based upon my personal knowledge unless otherwise indicated.
3. On the morning of December 30, 2005, I received Plaintiff Barbara Kalanikiekie Kaapuni (hereinafter referred to as Ms. Kaapuni) declaration, which is attached to Plaintiffs' Concise Statement of Facts Re: Carlton Helm, Christina Hall, Kelly Pauole, Jamie Winfrey, Harold Manaois, and Kaena Brown's Motion for Summary Judgment.
4. I have seen Ms. Kaapuni's signature on two other documents.

5. I believe that the signature on Ms. Kaapuni's declaration matches the signature on the aforementioned documents.
6. When the original declaration of Ms. Kaapuni arrives in the mail, it will be filed within a reasonable period of time.

**RORY SOARES TOOMEY DECLARES UNDER THE PENALTY OF
FEDERAL LAW THAT THE FORGOING IS TRUE AND CORRECT**

DATED: Honolulu, Hawaii, December 30, 2005



Rory Soares Toomey
RORY SOARES TOOMEY

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

BARBARA KALANIKIEKIE) CIVIL NO. CV-04-00449-SOM-LEK
KAAPUNI, JON HANS)
KAAPUNI, Sr., PAMELA) CERTIFICATE OF SERVICE
NOHOLANI KAAPUNI, JON)
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KALANIKIEKIE KAAPUNI,)
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KAAPUNI by her best friend)
JON HANS KAAPUNI, Sr.,)
Plaintiffs,)
vs.)
CARLTON HELM, in his)
individual capacity, STAG)
SAGARIO, in his individual capacity,)
CHRISTINA WILLIAMS, in her)
individual capacity, KELLY ARLOS,)
in his individual capacity, JAMIE)
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THE COUNTY OF)
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Defendants.)

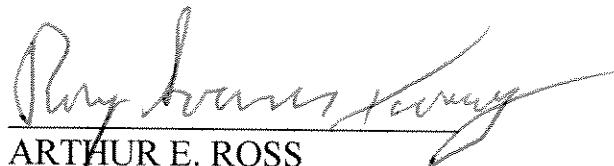
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on December 30, 2005, a copy of the attached document was served by United States Mail, first class postage prepaid upon:

MOANA M. RAMAYA
200 S. HIGH STREET
WAILUKU, HAWAII 96793

Attorney for Defendant
COUNTY OF MAUI

DATED: Honolulu, Hawaii, December 30, 2005



ARTHUR E. ROSS
RORY SOARES TOOMEY
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BARBARA KALANIKIEKIE
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